

TEMPORARY

Serial No. 53905-7

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 28 1989

Returned to applicant for correction

Corrected application filed Map filed

The applicant Newmont Gold Company

Post Office Box 669 of Carlin
Street and No. or P.O. Box No. City or Town

Nevada 89822 hereby make application for permission to change the
State and Zip Code No.

point of diversion of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 26728 (cert. 9940)
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.)

1. The source of water is Underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.5 cfs - 32.50 mga
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Mining, Milling and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Mining, Milling and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SE 1/4 SE 1/4 Section 3 T36N, R49E, MDM
Describe as being within a 40-acre subdivision of public survey and by course and
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within NE 1/4 SE 1/4 Section 10 T36N, R49E MDM at a
If point of diversion is not changed, do not answer.
point from which the SE corner of said Section 10 bears S25°03'18" E, a distance
of 2230.86 feet.

7. Proposed place of use Same as Existing.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use S 1/2 Section 2, SE 1/4 Section 3, E 1/2 Section 10 and all of Section 11,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
all in T36N, R49E MDM
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Drilled and cased well equipped with motor,
State manner in which water is to be diverted, i.e. diversion structure, ditches,
pump, and pipeline to place of use
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$25,000

13. Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use.....1 year.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is a request for a temporary permit. The duty under this application should not be combined with the total combined duty of 420.28 mga under 50688, 50939, 51074, 51750, 51963, 52354, 52795, 52796, 52797, 53778-T and 53779-T. The duty under this permit should remain separate and distinct.

s/ Micahel D. Buschelman Agent

By 5405 Mae Anne Avenue

Reno, NV 89523

Compared.....bp/se.....bp/se.....

Protested.....

.....APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 26728, Certificate 9940 is issued subject to the terms and conditions imposed in said Permit 26728, Certificate 9940 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

The total combined duty of water under Permits 53905-T and 53906-T shall not exceed 65 million gallons.

This temporary permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this temporary permit is by nature of (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not

to exceed.....0.5.....cubic feet per second, but not to exceed 32.5 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I.....PETER G. MORROS.....
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 27th day of.....November.....

A.D. 19 89

State Engineer

2407 (Rev. 6-81)

EXPIRED

DATE 22 Nov 90

(PERMIT TERMS CONTINUED)

its activity a temporary use and any application to change the manner of use granted under this temporary permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to Chapter 149 of the Statutes of Nevada, 1989 and will expire on November 22, 1990 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

Measurements of the water used under this temporary permit shall be submitted on a monthly basis to the State Engineer.